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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   MICHAEL-JOHN F. MAIER,  
9  
10                  Plaintiff,

11                  v.  
12                  Defendants.

13                   Case No. 2:19-cv-01962-BJR

14                  SNOHOMISH DEPARTMENT OF  
15                  CORRECTIONS, *et al.*,

16                   ORDER DISMISSING PRISONER'S  
17                  CIVIL RIGHTS COMPLAINT

18                  Before the Court is the Report and Recommendation ("R&R") of the Honorable Mary Alice  
19                  Theiler, United States Magistrate Judge, which recommends that the Court dismiss Michael-John  
20                  F. Maier's ("Plaintiff") prisoner civil rights complaint filed under 42 U.S.C. § 1983. Dkt. No. 6.

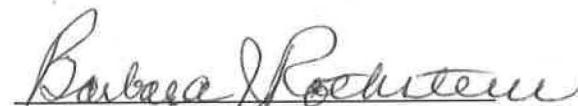
21                  Plaintiff is currently a state prisoner confined at the Snohomish County Jail in Everett,  
22                  Washington. Dkt. No. 1. On November 27, 2019, he filed the instant action complaining that the  
23                  Jail has failed to provide him a vegan meal, inappropriately placed him with "the worst of the  
worst," and failed to provide him with necessary medication and personal shoes which help his  
herniated discs. *Id.* at 4–7. On December 2, 2019, the Clerk informed Plaintiff that his filing was  
deficient because he had failed to pay the filing fee, and to proceed he would either need to pay  
the filing fee or submit an application to proceed *in forma pauperis*. See Dkt. No. 2. On December

1 11, 2019, Plaintiff submitted an application to proceed *in forma pauperis*, but the next day the  
2 Clerk informed Plaintiff that his filing was again deficient for failure to include a certified copy of  
3 his prison trust account statement. Dkt. No. 5. The Clerk informed Plaintiff that he had until  
4 January 13, 2020 to correct the deficiency or risk dismissal. *Id.*

5 Plaintiff has not provided the required prison trust account statement. Based on this failure,  
6 Judge Theiler recommends dismissing Plaintiff's claim for failure to prosecute. Dkt. No. 6 at 2.  
7 The R&R gave Plaintiff until February 7, 2020 to file an objection. *Id.* None has been filed. As  
8 such, the Court will adopt Judge Theiler's R&R and ORDERS as follows:

- 9 1. The Report and Recommendation is APPROVED and ADOPTED;
- 10 2. Plaintiff's action is DISMISSED without prejudice for failure to prosecute; and
- 11 3. The Clerk is directed to send copies of this Order to Plaintiff and to the Honorable  
12 Mary Alice Theiler.

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14 DATED this 4<sup>th</sup> day of March, 2020.

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17 BARBARA JACOBS ROTHSTEIN  
18 UNITED STATES DISTRICT JUDGE  
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